

## **FINAL STATEMENT OF REASONS**

### **1) The Update to the Initial Statement of Reasons**

There are no changes to the initial statement of reasons, which is hereby incorporated by reference, with the exception of the following.

- The words "Except as specified by the Department of the California Highway Patrol in Title 13, California Code of Regulations," have been added to allow the California Highway Patrol (CHP) to regulate the placement of the Commercial Vehicle Weight Decals on specified vehicles.
- The placement of the weight decals has been modified to allow the decals to be affixed to plaques which are permanently attached to or adjacent to the right and left doors of the vehicle. This will allow commercial vehicles to still display the decals as required but will reduce the chance of damage to the vehicle when the decal is replaced.

### **2) Imposition of Mandate on Local Agencies or School Districts**

The department's regulatory action amending Section 154.00 in Article 3, Chapter 1, Division 1, of Title 13, California Code of Regulations, does not impose any mandate on local agencies or school districts and imposes (1) no cost or savings to any state agency, (2) no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, (3) no other nondiscretionary cost or savings to local agencies, and (4) no costs or savings in federal funding to the state. No studies or data were relied upon to make this determination.

### **3) Summary of Comments Received and Department Response**

The proposal was noticed on September 23, 2005, and made available to the public from September 23, 2005 through November 21, 2005. The department received a comment from A.S. Cuevas, Chief of Enforcement Services Division of the California Highway Patrol (CHP).

Mr. Cuevas requested the proposed text be modified to address Commercial Vehicle Weight Decal placement on school busses. He refers to Section 1256.5 in Title 13, Division 2, Article 8, California Code of Regulations, which regulates school bus color and signage. Mr. Cuevas also states the CHP's intention of "...maintaining a clean image of the yellow school bus, uncluttered by numerous signs and bumper stickers."

The department has responded to the concerns of the CHP by providing an exception in the proposed regulations. This exception will allow CHP to continue to regulate the placement of decals on specific commercial vehicles.

The department has been informed by California carriers that the trucking industry is not pleased with being required to place the decal directly onto the paint of their vehicles. As these drivers have spent time and money maintaining their commercial vehicles' clean appearance, they would rather not be required to affix a decal directly to the surface of the vehicle.

The department has responded to concerns raised by the commercial trucking industry and has modified the proposed regulations to allow the weight decal to be affixed to a plaque which is permanently attached to the vehicle. The plaque must be permanently attached to or adjacent to the right and left doors of the vehicle.

#### **4) Determination of Alternatives**

No reasonable alternative considered by the department, or that has otherwise been identified and brought to the attention of the department, would be more effective in carrying out the purpose for which these regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed regulations. During the rulemaking process no alternative that would lessen the adverse economic impact on small business was submitted.